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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 98-069

RESCISSION OF SITE CLEANUP REQUIREMENTS, ORDER NO. 86-67 FOR:

METLIFE

for the property located at the

RIVERPARK DEVELOPMENT

333 W. SAN CARLOS STREET

SAN JOSE

SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board), finds that:

Site D@sc- no-

- I. The Riverpark Development site, located in downtown San Jose, occupies the property bordered to the Northwest by Park Avenue, to the southeast by West San Carlos Street, to the north by the Guadalupe River, and the southwest by Highway 87 and Woz Way (see Figures I and 2).

Site History

2. The site was occupied by a laundry se-ice from 1920 through **to** the mid 1970's. From the 1970's through 1984 the site was occupied by a variety of businesses including a car rental company, a cm salvage company, a computer parts/precious metals salvage operation, and a tire salvage company. The current site owner, MetLife, acquired the site from the Lincoln Property Company. All former structures were demolished at that time and construction began on the Riverpark Towers, a development consisting of two 17story buildings.
3. Volatile Organic Compounds (VOCS) were discovered during soil and foundation investigation associated with the Riverpark development in 1985. Subsequent investigations found levels of tetrachloroethylene (PCE) as high as 321,221 parts per billion (ppb) in the soil and 6,245 ppb in the "A" Zone groundwater. In 1986, 41,900 cubic feet of PCE-contaminated soil was excavated from the area of the future onsite office tower, aerated, and returned to the site. VOCs were also found in the "B" Zone at levels as high as 2,159 ppb. The "C" Zone water quality was also investigated and has been shown

to have no.-detected concentrations of VOCs. During the investigations, five "A" Zone monitoring wells, ten "B" Zone monitoring wells, and one "C" Zone monitoring well were installed at the site. The groundwater remediation system at the site consisted of one groundwater extraction well (E-1) in the "B" Zone. Regional Board staff approved the shutdown of the remediation system in May 1996 due to extremely low levels of contaminants being found in the influent and in monitoring well results. The groundwater remediation system is currently inactive. However, it has been operated as necessary to treat purge water from quarterly monitoring. Quarterly monitoring continued following the May 1996 shutdown through third-quarter 1997.

Regulatory History

4. On August 20, 1986, the Board adopted Waste Discharger Requirements (Site Cleanup Requirements) Order No. 86-67. This Order was issued to the Lincoln Company, MetLife has since purchased the property and completed the requirements of the Order. The Order required soil and groundwater investigations and the proposal and implementation of remedial actions as necessary.

Recommendation. for Final Action

5. Given the results of quarterly monitoring (concentrations of VOCs all below MCLs since May 1996, except for one offsite upgradient well which was non-detect for VOCs during the first and third quarters of 1997) since May 1996, post extaction, and existing levels of VOCs in groundwater there is no need for further remedial actions or groundwater monitoring. The case should be closed.
6. The monitoring wells should be destroyed. The discharger should produce a final letter report documenting that all the monitoring wells used at the site have been properly destroyed pursuant to Santa Clary Valley Water District Ordinance 90- 1.

Basin Plan

7. The Board adopted a revised Water Quality Contr.1 Plan for the Sao Francisco Bay Basin (Basin Plan) on Jane 21, 1995. This updated and consolidated plan represents the Board's master water quality control planning document. The revised Basin Plan was approved by the State Water Resources Control Board and the Office of administrative Law on July 20, 1995, and November 13, 1995, respectively. A summary of regulatory provisions is contained in 23 CCR 3912. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater.

8. The Basin Plan designates the following existing and potential beneficial uses of the groundwater underlying and adjacent to the Riverpark Development site include:
 - a. Industrial process water supply,
 - b. Industrial service water supply,
 - c. Municipal and Domestic water supply, and
 - d. Agricultural water supply.

Basis for Rescission of Order

9. The Board establishes the overall cleanup level for . water body based upon the most sensitive beneficial use identified. In all cases, the Board first considers high quality or naturally occurring "background" concentration objectives as the cleanup levels for polluted groundwater with a beneficial use of municipal and domestic supply, such as at this site.
10. All known sources of contamination have been removed or mitigated. VOC concentrations in groundwater have decreased significantly during the monitoring, investigation and remediation program and have met or exceed maximum contaminant levels or no well below health based cleanup levels being both protective of human health and the environment.
11. Based on the above findings and in consideration of the reasonable protection of beneficial uses and maximum benefit to the people of the State pursuant to State Board Resolution. 68-16, additional remediation and groundwater monitoring are not necessary.

CEQA

12. This action constitutes a mine, modification to land and as such is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.

Notice

13. The Board has notified the discharges and interested persons of its intent to rescind Site Cleanup Requirements for this site and has provided the with the opportunity for a

public hearing and opportunity to submit their their views and recommendations.

14. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

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IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that:

Order No. 86-67 is rescinded.

I, Loretta K. Barsamian Executive Officer, do hereby certify that the foregoing is a full, line and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 15, 1998.

Loretta K. Barsamian

Executive Officer